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Association, as Trustee for GSAA 2007-9,
and Wells Fargo Bank, N.A.

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF ARIZONA

In Re:

Proceedings Under Chapter 13

11 RACHAEL EARL,

Case No. 2:10-bk-27333-SSC

Debtor.

Adversary No. 2:10-ap-02243-SSC

RACHAEL EARL, an individual

MOTION TO EXCEED PAGE LIMITS IN DEFENDANTS' MOTION TO DISMISS

17 US BANK NATIONAL ASSOCIATION AS
18 TRUSTEE FOR GSAA 2007-9 BY ITS
19 ATTORNEY IN FACT WELLS FARGO
20 BANK N.A., SUCCESSOR BY MERGER
TO WELLS FARGO HOME MORTGAGE
INC.; DOES 1-10,000

Defendants.

22 Defendants U.S. Bank National Association, as Trustee for GSAA 2007 (“US Bank”), and
23 Wells Fargo Bank, N.A. (“Wells Fargo”), hereby respectfully request permission from this Court
24 to file their “Motion to Dismiss”¹ in a number of pages exceeding the presumptive limit of fifteen
25 (15) pages under Local Bankruptcy Rule 9013-1(b). Defendants exceeded the presumptive limit
26 by two pages to fully set forth the lengthy procedural history between the parties and the subject

¹ Capitalized terms not otherwise defined shall have the meaning attributed to those terms in the Motion to Dismiss.

1 property. As set forth more fully in the Motion to Dismiss, Plaintiff has made many of the same
2 allegations and/or claims set forth in her Complaint [D.E. 1] in no less than four separate
3 instances: (i) in a complaint filed by Plaintiff in state court, which was subsequently removed to
4 federal court and dismissed; (ii) in defense of US Bank's forcible entry and detainer action in
5 state court in which US Bank ultimately prevailed; (iii) in defense of US Bank's First Motion to
6 Lift Stay filed in Plaintiff's First Bankruptcy Proceeding after which the First Bankruptcy Court
7 granted US Bank's motion; and (iv) in a motion to reconsider the First Bankruptcy Court's order
8 lifting the stay, which the First Bankruptcy Court denied. Developing this procedural history was
9 necessary to provide context for the Court, and Defendants were unable to set out the procedural
10 history and adequately address all of the issues raised in Complaint within the page limitation set
11 for in the Local Rules.

12 WHEREFORE, Defendants request that the Court authorize them to exceed the fifteen
13 (15) page limit as to their Motion to Dismiss the Complaint. Defendants have separately lodged a
14 proposed form of order.

15 DATED this 28th day of January, 2011.

16 SNELL & WILMER L.L.P.
17

18 By: /s/ AVH (025518)
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20 Gregory J. Marshall
21 Andrew Hardenbrook
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25 Attorneys for Defendants U.S. Bank National
26 Association, as Trustee for GSAA 2007-9,
27 and Wells Fargo Bank, N.A.
28

1 COPY of the foregoing served by
2 electronic notification or U.S. Mail on
3 January 28, 2011, to:

4 Kevin Lee Jensen
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9 Office of the U.S. Trustee
10 230 N. First Avenue, Suite 204
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12 Email: ustpregion14.px.ecf@usdoj.gov

13 /s/ Margie Johnson